

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Evlin Gappy,

Plaintiff,

v.

Case No. 10-12737

Commissioner of Social Security,

Honorable Sean F. Cox

Defendant.

_____ /

ORDER
ACCEPTING AND ADOPTING REPORT & RECOMMENDATION

Plaintiff brought this action seeking judicial review of the Commissioner's decision allowing benefits. Thereafter, both parties filed cross-motions for summary judgment, which were referred to Magistrate Judge Mark Randon pursuant to 28 U.S.C. §636(b). On July 19 2011, Magistrate Judge Randon issued his Report and Recommendation ("R&R"), wherein he recommends that: 1) Plaintiff's Motion for Summary Judgment be denied; 2) Defendant's Motion for Summary Judgment be granted; and 3) the findings and conclusions of the Commissioner be affirmed.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. "The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made." *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R.

The Court hereby ADOPTS the July 19, 2011 R&R. IT IS ORDERED that Plaintiff's Motion for Summary Judgment is DENIED. IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment is GRANTED and that the findings and conclusions of the Commissioner are AFFIRMED.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: August 15, 2011

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 15, 2011, by electronic and/or ordinary mail.

S/Jennifer Hernandez

Case Manager